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Attorneys for Defendant Mesa Unified School District

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Jane Doe, an individual

No.

**Plaintiff.**

Maricopa County Superior Court  
Case No. CV2022-005993

VS.

The Mesa Public School District, a government entity; Victor Rodriguez and Jane Doe Rodriguez, husband and wife; Jane Does I-V; John Does I-V; ABC Corporations I-X; XYZ Partnerships I-X

## Notice of Removal

## Defendants

**PLEASE TAKE NOTICE** that defendant Mesa Unified School District, pursuant to 28 U.S.C. §§ 1441 and 1446, hereby removes the state court action described above to this Court. The grounds for removal are as follows:

1. Plaintiff commenced this action in the Superior Court of the State of Arizona for the County of Maricopa on May 11, 2022, in Case Number CV2022-005993.

2. On May 18, 2022, defendant Mesa Unified School District received the Summons, Complaint, and Certificate of Compulsory.

1       3. On information and belief, other than Plaintiff's filing of the Complaint and  
2 the Certificate of Compulsory Arbitration, no proceedings have been held in this action in  
3 the Superior Court of the State of Arizona for the County of Maricopa as of the date of this  
4 filing of Notice of Removal.

5       4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely as it has  
6 been filed with this Court within thirty (30) days after receipt of the Complaint.  
7

8       5. This Court has original jurisdiction over this case pursuant to 28 U.S.C. §  
9 1331 because Plaintiff's Complaint asserts a federal claim under the Fourteenth  
10 Amendment of the United States Constitution (42 U.S.C. § 1983).  
11

12       6. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of all papers,  
13 notices, process, pleadings, and orders provided to the Defendant are attached as **Exhibit 1**,  
14 and by this reference are specifically made a part of this Notice of Removal.  
15

16       7. Defendant Mesa Unified School District will promptly provide notice of the  
17 filing of this Notice of Removal to counsel for Plaintiff and a copy of this Notice of  
18 Removal will be filed with the Clerk of the Superior Court of the State of Arizona for the  
19 County of Maricopa, pursuant to 28 U.S.C. § 1446(d). Under 28 U.S.C. § 1441, and all  
20 applicable statutes with which Defendant Mesa Unified School District has complied, this  
21 action is removed to the United States District Court for the District of Arizona.  
22

23       Accordingly, Defendant Mesa Unified School District respectfully requests that this  
24 Court assume full jurisdiction over the action as provided by law.  
25

DATED this 25<sup>th</sup> day of May, 2022.

## WRIGHT WELKER & PAUOLE, PLC

By /s/ David K. Pauole  
David K. Pauole  
10429 South 51<sup>st</sup> Street, Suite 285  
Phoenix, AZ 85044  
Attorneys for Defendant Mesa Unified  
School District

## **CERTIFICATE OF SERVICE**

I hereby certify that on May 25, 2022, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and mailed a copy to the following:

Timothy G. Tonkin, Esq.  
Nasser Abujbarah, Esq.  
Phillips Law Group, PC  
3101 North Central Avenue, Suite 1500  
Phoenix, AZ 85012  
Attorneys for Plaintiff

/s/ Cindy M. Opsahl  
6927-1593